

MEMO ENDORSED

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* ADMITTED IN NEW JERSEY AND NEW YORK

November 8, 2019

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

RE: Gao v. Savour Sichuan Inc. et al., Case No.: 1:19-cv-02515 (ER)

Dear Judge Ramos:

We represent plaintiff Xiaochun Gao (Ms. Gao) in the above-captioned action. Pursuant to Your Honor's Individual Practices and Local Rule 37.2, we respectfully write to request a pre-motion conference seeking leave to file a motion to compel under Fed R. of Civ. P. 37(a)(1).

This letter summarizes the bases for such a motion.

On September 17, 2019 our office served Defendants Savour Sichuan Inc et al. the Plaintiff's First Request for Production of Documents to Defendants (annexed as **Exhibit A**) and Plaintiff's First Set of Interrogatories to Defendants (annexed as **Exhibit B**) by serving a copy to Defendant's counsel (herein after referred to as "Requests").

Our office did not receive any answers to interrogatories nor documents per the request of document production in accordance with the time limits of 30 days set by the Fed R. Civ. P. 34(b)(2)(a). In light of this deficiency, our office called Defendant's counsel on Friday October 18, 2019 inquiring the status of the documents. During this call, Defendant's counsel requested another copy of the Requests be sent to their office. Our office sent Defendant's counsel an email

on October 21, 2019 with the Requests attached (annexed as **Exhibit C**), and in the email inquired whether Defendant's counsel would like a reasonable extension of time.

Defendant's counsel replied via email on the same date stating that Defendants had been away, but was expected to return on that same day, and that he needed a few days to produce the requested documents and answers (annexed as **Exhibit D**).

On October 31, 2019 our office sent another email to Defendant's counsel requesting production of the requested documents and answer (annexed as **Exhibit E**). In the email we inquired whether Defendant's counsel would be able to provide a time to which the requested documents and answer would be produced. Defendant's counsel replied immediately stating that they wonder the same about Plaintiff's responses as well (annexed as **Exhibit F**).

Our office immediately called Defendant's counsel informing them that we have not been served any requests for document production nor requests for answers to interrogatories. Defendant's counsel stated that they would send a copy to our office, but failed to do so to date, and have yet to produce the requested documents and answers to interrogatories to date.

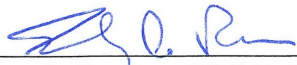
Ms. Gao is severely prejudiced by Defendant's failure to cooperate in discovery because Defendants have exclusive control of almost all the information on which Ms. Gao's claims depend. In light of these circumstances, Ms. Gao, by and through her attorney, Hui Chen & Associates, PLLC, in accordance with Your Honor's Individual Practices and Local Rule 37.2, respectfully requests a pre-motion conference for the purpose of efficiently resolving all discovery disputes.

Hui Chen and Associates, P.L.L.C.

/s/ Hui Chen

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A pre-motion conference will be held on November 26, 2019
at 11:00 a.m. The defendant is ordered to respond to the
plaintiff's letter by Wednesday, November 20.



Edgardo Ramos, U.S.D.J

Dated: Nov. 12, 2019

New York, New York